

I TE RŌPU WHAKAMANA
I TE TIRITI O WAITANGI

WAI 682

KEI RARO I TE MANA o te ture o te Tiriti o Waitangi 1975

Ā

I TE TAKE O

he kerēme nā Rewiti Paraone rātou ko Erima Henare, ko Pita Tipene, ko Waihoroi Shortland mō Te Rūnanga o Ngāti Hine mō ngā uri o Torongare and Hauhaua (Wai 682)

HE MANATU RŌIA

I tēnei rā i te 20 o Āperira 2026

RECEIVED

Waitangi Tribunal

22 Apr 26

Ministry of Justice
WELLINGTON

p 09 404 0953
a 91 Hupara Road, RD2 Kaikohe, Northland 0472
e admin@tukaulaw.co.nz
w www.tukaulaw.co.nz

Counsel acting

Dr Season-Mary Downs
Chelsea Terei-Tipene

TĒNĀ, E TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI:

1. This memorandum of counsel is filed in response to the Memorandum-Directions of the Deputy Chairperson regarding Te Rūnanga of Ngāti Hine’s application for an urgent hearing dated 22 April 2026 (“Memorandum-Directions”).¹
2. In the Memorandum-Directions, her Honour, Judge Reeves, directed the Crown and any interested parties to respond to the application for an urgent inquiry by no later than **midday, 6 May 2026**;² and for the applicant to file submissions in reply by no later than **midday, 20 May 2026**.³
3. Counsel respectfully note their concern with these proposed timeframes and request a more expedited approach to the filing deadlines for the following reasons:
 - (a) The nature and extent of how te Tiriti o Waitangi/the Treaty of Waitangi is recognised and provided for in legislation is of national importance, and the scale of the proposed legislative changes in respect of te Tiriti o Waitangi/the Treaty of Waitangi are significant; and
 - (b) The Minister of Justice has been invited by Cabinet to issue drafting instructions to give effect to the decisions made in Cabinet Minute “Review of References to the Principles of the Treaty of Waitangi in Legislation: Next Steps” (23 February 2026) CAB-26-MIN-0048.01 at paragraph 26.
4. The application for urgency and accompanying documents were prepared and filed within days of being advised of the government’s proposed next steps following the Review of References to the Principles of the Treaty of Waitangi in Legislation, reflecting the claimants concern about how imminent the Bill may be.


¹ Wai 682, #2.116.

² At [3].

³ At [4].

5. Counsel respectfully seek a truncated filing process given the significance of what is being proposed and how quickly matters are being progressed by the government. We suggest the Crown and interested parties respond to the application for urgency by **27 April 2026**; and the applicants file submissions in reply by **30 April 2026**.
6. Counsel note that in the Education and Training Amendment and Te Mātāiaho Urgent Inquiry (Wai 3553), the Ministry of Justice (including the Chief Executive/Secretary of Justice) was particularly responsive under urgent timeframes [one day's notice] on matters relating to this application for urgency; and respectfully seek a similar urgent response.
7. If it would be of assistance, counsel are available for an urgent judicial conference to discuss these matters.

I TĒNEI RĀ, te rā 20 o Āperira 2026

The image shows two handwritten signatures in purple ink. The signature on the left is 'S Downs' and the signature on the right is 'C Terei-Tipene'. Both signatures are written in a cursive, flowing style.

Dr Season-Mary Downs/Chelsea Terei-Tipene
Rōia mo Ngāti Hine (Wai 682)